

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

<b>GREENPOINT AG HOLDINGS, LLC,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 1:24-cv-32-SNLJ</b>
	)	
<b>MCKASKLE FARMS, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on review of the file. The Eighth Circuit has admonished district courts to “be attentive to a satisfaction of jurisdictional requirements in all cases.” *Sanders v. Clemco Indus.*, 823 F.2d 214, 216 (8th Cir. 1987). “In every federal case the court must be satisfied that it has jurisdiction before it turns to the merits of other legal arguments.” *Carlson v. Arrowhead Concrete Works, Inc.*, 445 F.3d 1046, 1050 (8th Cir. 2006). “A plaintiff who seeks to invoke diversity jurisdiction of the federal courts must plead citizenship distinctly and affirmatively.” 15 James Wm. Moore, et al., *Moore’s Federal Practice* § 102.31 (3d ed. 2010).

The Complaint in this case asserts that the Court has jurisdiction over the action pursuant to 28 U.S.C. § 1332 because the lawsuit is between citizens of different States and the matter in controversy exceeds the sum of \$75,000. However, plaintiff alleges the defendant Stephen F. McKaskle is “an individual residing in Pemiscot County, Missouri” and that he and McKaskle’s wife are the sole members of the defendant LLC and that the wife “also resides in Pemiscot County, Missouri.” [Doc. 1 ¶¶ 5-6.] The complaint does

not appear to allege their citizenship. Alleging residence is insufficient for purposes of determining whether diversity jurisdiction exists. *See Reece v. Bank of New York Mellon*, 760 F.3d 771, 777-78 (8th Cir. 2014).


Accordingly,

**IT IS HEREBY ORDERED** that, by April 12, 2024, plaintiff shall file an amended complaint in accordance with this memorandum.

**IT IS FURTHER ORDERED** that if plaintiff does not timely and fully comply with this order, this matter will be dismissed for lack of subject matter jurisdiction.

**IT IS FURTHER ORDERED** that all other proceedings in this case are **STAYED** pending further order of this Court.

Dated this 12th day of March, 2024.

  
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STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE

